

Despite Death Sentence

Frank Sleeps Nine Hours

**Man Convicted for Murder—of
Mary Phagan Will Not Make
Public Reply to Solicitor
Dorsey's Arraignment—Law—
yers Advise Silence—Mrs.
Rae Frank Bids Son Fare-
Well and Leaves for Brooklyn**

Leo M. Frank, under sentence of death for the murder of Mary Phagan, slept nine hours in his cell in the Fulton county tower Wednesday night. He arose shortly after 7 o'clock, took his bath, went through his usual calisthenic exercises and ate a late breakfast which was brought him by his father-in-law, Emil Selig, a few minutes before 9 o'clock.

It was learned Thursday that there is little probability of Frank's making public any statement in reply to the argument of Solicitor General Dorsey at the trial.

His attorneys have counseled silence on the case, and Frank is expected to acquiesce to their wishes in the matter. No move of any sort is

expected from the defense until the argument on October 4 before Judge L. S. Roan on the motion for a new trial. Attorney L. Z. Rosser is already at work preparing the motion.

Frank's prosecutor, Solicitor Hugh M. Dorsey, is resting from his arduous labors of the past four months and is receiving the congratulations of his friends.

Mr. Dorsey has decided not to place the name of James Conley, Frank's negro accuser, before the present grand jury, which holds its final meeting on Friday. A bill charging Conley with being an accessory after the fact of Mary Phagan's murder, will, however, be among the first bills to be presented to the new grand jury, which will be empaneled next Tuesday by Judge George L. Bell, of the superior court.

Solicitor Dorsey is receiving hundreds of congratulatory telegrams and letters from people all over the state. He is replying to as many of them as he can, and in his replies, he is giving much credit for the state's victory to his associate, Frank A. Hooper; to Detectives Starnes and Campbell, who have worked so faithfully on the case, and to Detective Bass Rosser, who had charge of the securing of the character witnesses against Frank.

Mrs. Ben Frank, mother of the man found guilty of the murder of Mary Phagan and sentenced to die on the gallows for the crime October 10, will leave for her home in Brooklyn, N. Y. Thursday afternoon to be at the bedside of her husband, who is an invalid.

Mrs. Frank visited her son in the Tower during the morning and with cheering words kissed him goodbye. She has been here since the beginning of the trial and sat through the terrific ordeal of four weeks with great fortitude.

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ENGINEER APPOINTED TO TEST CREMATORY

Mayor Woodward Names

Frank Lederle to Determine
Steam Power of Plant

Mayor Woodward has appointed Frank Lederle, a consulting mechanical engineer of Atlanta, to supervise the evaporation test on the new crematory, and the test may be commenced next week.

The appointment of an engineer for this test is made by the mayor under authority of a resolution council passed at a recent meeting, providing that

an engineer be employed at a cost not to exceed \$200. Councilman Claud L. Ashley, chairman of the sanitary committee of council, introduced the resolution.

The evaporation test will be made in order to determine accurately how much steam power the crematory will generate as a by-product, it will be guaranteed to generate the equivalent of 1,500 kilowatts of electrical energy.

As to the capacity of the plant for the burning of garbage, Councilman Ashley, who is a mechanical engineer himself, believes that he and John Jentzen, chief of the sanitary department, can make this test themselves.

The crematory is now burning on the average something like two-thirds of the garbage of the entire city. It has been stopped several times for minor adjustments, but Engineer Canham, the Destructor company's representative in charge of the preliminary operation, states that all adjustments are now practically completed and that he has not the least doubt of the plant coming up to all the specifications and operating guarantees.
